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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/858,150	05/14/2001	Erhard Jung	P6313.8US	2521
30008	7590	12/15/2004	EXAMINER	
GUDRUN E. HUCKETT DRAUDT LONSSTR. 53 WUPPERTAL, 42289 GERMANY			CHAN, SING P	
			ART UNIT	PAPER NUMBER
			1734	

DATE MAILED: 12/15/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

## Office Action Summary

Application No.

09/858,150

Applicant(s)

JUNG, ERHARD

Examiner

Sing P Chan

Art Unit

1734

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☐ Responsive to communication(s) filed on \_\_\_\_.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 61-114 is/are pending in the application.
- 4a) Of the above claim(s) 65-69, 103-106 and 109-114 is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 61-64, 70-102, 107 and 108 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 14 May 2001 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some \* c) ☐ None of:
- 1) ☒ Certified copies of the priority documents have been received.
  - 2) ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_.
  - 3) ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- 1) ☐ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
Paper No(s)/Mail Date \_\_\_\_.
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date \_\_\_\_.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_.

## DETAILED ACTION

### *Specification*

1. The disclosure is objected to because of the following informalities: reference character "12" is used to indicate "pressing slide and "board" on Page 23, line 14, line 18 and line 20.

Appropriate correction is required.

### *Claim Rejections - 35 USC § 112*

2. The following is a quotation of the second paragraph of 35 U.S.C. 112:  
  
The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.
3. Claims 61-64, 70-102, 107, and 108 rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Regarding claim 61, on line 3, the claim recites "at least one clamping and pressing device," however, on line 4 and line 7 only recite "clamping and pressing device." It is unclear if the recited feature is required on only one clamping and pressing device or more. The examiner suggests, changing to "each said at least one clamping and pressing device."

Regarding claim 62, on line 2, the claim only recites "clamping and pressing device." It is unclear if the recited feature is required on only one clamping and pressing device or more. The examiner suggests, "at least one clamping and pressing device."

Regarding claim 64, on line 2, the claim only recites "clamping and pressing device." It is unclear if the recited feature is required on only one clamping and pressing

Art Unit: 1734

device or more. The examiner suggests, "at least one clamping and pressing device." And also on line 2, the claim only recites "pressing members," but claim 61 required "at least two pressing members." The examiner suggests changing to "at least two pressing members."

Regarding claim 74, on line 2, the claim recites "at least one clamping and pressing device," however, on line 3, line 6, and line 13 only recite "clamping and pressing device." It is unclear if the recited feature is required on only one clamping and pressing device or more. The examiner suggests, changing to "at least one clamping and pressing device." Also, on line 13, the claim only recites "pressing members," but claim 61 required "at least two pressing members." The examiner suggests changing to "at least two pressing members."

Regarding claim 75, on line 2, the claim only recites "pressing members," but claim 61 required "at least two pressing members." The examiner suggests changing to "at least two pressing members."

Regarding claim 76, line 3, the claim only recites "pressing members," but claim 61 required "at least two pressing members." The examiner suggests changing to "at least two pressing members."

Regarding claim 81, on line 3 and line 6, the claim recites "at least one clamping and pressing device," however, on line 3 and line 6 only recite "clamping and pressing device." It is unclear if the recited feature is required on only one clamping and pressing device or more. The examiner suggests, changing to "at least one clamping and pressing device." Also, on line 6, the claim only recites "pressing members," but claim

Art Unit: 1734

61 required "at least two pressing members." The examiner suggests changing to "at least two pressing members."

Regarding claim 82, on line 3 and line 6, the claim recites "at least one clamping and pressing device," however, line 3 and line 6 only recite "clamping and pressing device." It is unclear if the recited feature is required on only one clamping and pressing device or more. The examiner suggests, changing to "at least one clamping and pressing device."

Regarding claim 84, on line 3, the claim only recites "clamping and pressing device." It is unclear if the recited feature is required on only one clamping and pressing device or more. The examiner suggests, changing to "at least one clamping and pressing device."

Regarding claim 85, on line 4, the claim only recites "clamping and pressing device" and claim 82 recites "at least one clamping and pressing device." It is unclear if the recited feature is required on only one clamping and pressing device or more. The examiner suggests, changing to "at least one clamping and pressing device."

Regarding claim 87, on line 2, the claim only recites "the carriage" and claim 86 recited "at least one height-adjustable carriage." It is unclear if the recited feature is required on only one carriage or more. The examiner suggests, changing to "at least one carriage."

Regarding claims 91 and 92, the claims recite "the holding-down device" and claim 90 recited "at least one holding-down device." It is unclear if the recited feature is

Art Unit: 1734

required on only one or more holding-down device. The examiner suggests, changing to "at least one holding-down device."

Regarding claim 93, the claim recites "holding-down elements" and claim 92 recited "at least two holding-down elements." It is unclear if the recited feature is required on only one or more holding-down elements. The examiner suggests, changing to "at least one holding-down elements."

Regarding claim 94, the claim recites "the carriage" and claim 86 recited "at least one height-adjustable carriage." It is unclear if the recited feature is required on only one carriage or more. The examiner suggests, changing to "at least one carriage."

4. Claim 94 recites the limitation "the forwardly positioned holding-down element" in line 2. There is insufficient antecedent basis for this limitation in the claim.

5. Claim 95 recites the limitation " the forwardly positioned holding-down element " in line 2. There is insufficient antecedent basis for this limitation in the claim.

Regarding claim 102, on line 2, the claim recites "the support parts" and claim 101 recited "at least two support parts." It is unclear if the recited feature is required on only one or more support parts. The examiner suggests, changing to "at least one support parts."

Regarding claim 107, on line 2, the claim recites "the support parts" and claim 101 recited "at least two support parts." It is unclear if the recited feature is required on only one or more support parts. The examiner suggests, changing to "at least one support parts."

Art Unit: 1734

Regarding claim 108, on line 2 to line 3, the claim only recites "clamping and pressing device" and claim 61 recites "at least one clamping and pressing device." It is unclear if the recited feature is required on only one clamping and pressing device or more. The examiner suggests, changing to "at least one clamping and pressing device."

***Allowable Subject Matter***

6. Claims 61-64, 70-102, 107, and 108 would be allowable if rewritten or amended to overcome the rejection(s) under 35 U.S.C. 112, 2nd paragraph, set forth in this Office action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Sing P Chan whose telephone number is 571-272-1225. The examiner can normally be reached on Monday-Friday 7:30AM-11:00AM and 12:00PM-4:00PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Christopher A Fiorilla can be reached on 571-272-1187. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Art Unit: 1734

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

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